

**ENTERED**

November 19, 2018

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION***In re BP p.l.c. Securities Litigation*

No. 4:10-md-02185

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This document relates to:*Alameda County Employees' Retirement Association,  
et al. v. BP p.l.c. et al.*

No. 4:12-cv-01256 (cons.)

*Avalon Holdings Inc., et al. v. BP p.l.c. et al.*

No. 4:12-cv-03715

*Stichting Pensionenfonds Metaal en Techniek, et al.  
v. BP p.l.c. et al.*

No. 4:13-cv-00069

*HESTA Super Fund v. BP p.l.c. et al.*

No. 4:13-cv-00129

*New York City Employees' Retirement System et al. v.  
BP p.l.c. et al.*

No. 4:13-cv-01393

*Arkansas Teacher Retirement System, et al. v. BP  
p.l.c., et al.*

No. 4:14-cv-00457

*Washington State Investment Board v. BP p.l.c., et al.*

No. 4:14-cv-00980

*Helaba Invest Kapitalanlagegesellschaft mbH, et al.  
v. BP p.l.c., et al.*

No. 4:14-cv-01065

*Maryland State Retirement and Pension System v. BP  
p.l.c., et al.*

No. 4:14-cv-01068

*GIC Private Limited v. BP p.l.c., et al.*

No. 4:14-cv-01072

*Pension Reserves Investment Management Board of  
Massachusetts v. BP p.l.c., et al.*

No. 4:14-cv-01084

*Virginia Retirement System, et al. v. BP p.l.c., et al.*

No. 4:14-cv-01085

*Louisiana State Employees' Retirement System, et al.  
v. BP p.l.c., et al.*

No. 4:14-cv-01087

*The Bank of America Pension Plan v. BP p.l.c., et al.*

No. 4:14-cv-01418

Honorable Keith P. Ellison

**ORDER**

WHEREAS, Defendants in the above-captioned actions filed a motion for judgment on the pleadings (MDL 2185 ECF No. 1662) seeking dismissal of certain claims under the Securities Exchange Act of 1934 (“Exchange Act”) as time-barred; and

WHEREAS the Court granted Defendants’ motion by Memorandum and Order dated September 18, 2018 (MDL 2185 ECF No. 1707);

IT IS HEREBY ORDERED that Plaintiffs’ Exchange Act claims based on the following alleged misstatements in the following cases are dismissed:

- Robert Malone’s statements in *The BP Magazine* on April 7, 2007 in:
  - *Alameda Cty. Empl. Ret. Ass’n. v. BP p.l.c.*, No. 12-cv-01256 (cons.), Second Amended Complaint (“*Alameda*”) (ECF No. 148) ¶¶ 357-359;
  - *HESTA Super Fund v. BP p.l.c.*, No. 13-cv-00129, Second Amended Complaint (“*HESTA*”) (ECF No. 118) ¶¶ 357-359;
  - *New York City Empl. Ret. Sys. v. BP p.l.c.*, No. 13-cv-1393, First Amended Complaint (“*New York City*”) (ECF No. 102) ¶¶ 357-359;
  - *Stichting Pensioenfonds Metaal en Techniek v. BP p.l.c.*, No. 13-cv-00069, Second Amended Complaint (“*Stichting Pensioenfonds*”) (ECF No. 120) ¶¶ 357-359; and
  - *The Bank of America Pension Plan v. BP p.l.c.*, No. 14-cv-01418, First Amended Complaint (“*Bank of America*”) (ECF No. 28) ¶¶ 357-359.
- Anthony Hayward’s speech at the Houston Forum on November 8, 2007 in:
  - *HESTA* ¶ 373;
  - *New York City* ¶ 373;
  - *Stichting Pensioenfonds* ¶ 373;
  - *Bank of America* ¶ 373;
  - *Avalon Holdings, Inc. v. BP p.l.c.*, No. 12-cv-03715, Second Amended Complaint (“*Avalon*”) (ECF No. 121) ¶ 220;
  - *GIC Private Ltd. v. BP p.l.c.*, No. 14-cv-1072, Amended Complaint (“*GIC Private Ltd.*”) (ECF No. 27) ¶ 334;
  - *Helaba Invest Kapitalanlagegesellschaft mbH v. BP p.l.c.*, No. 14-cv-1065, Amended Complaint (“*Helaba*”) (ECF No. 28) ¶ 334;
  - *Louisiana State Empl. Ret. Sys. v. BP p.l.c.*, No. 14-cv-01087, Amended Complaint (“*Louisiana*”) (ECF No. 36) ¶ 339;

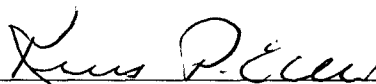
- *Maryland State Ret. and Pension Sys. v. BP p.l.c.*, No. 14-cv-01068, Amended Complaint (“*Maryland*”) (ECF No. 22) ¶ 145;
  - *Arkansas Teacher Ret. Sys. v. BP p.l.c.*, No. 14-cv-00457, Amended Complaint (“*Arkansas*”) (ECF No. 26) ¶ 299;
  - *Virginia Ret. Sys. v. BP p.l.c.*, No. 14-cv-01058, Amended Complaint (“*Virginia*”) (ECF No. 22) ¶ 301;
  - *Washington State Inv. Bd. v. BP p.l.c.*, No. 14-cv-00980, Second Amended Complaint (“*Washington*”) (ECF No. 59) ¶ 272; and
  - *Pensions Reserves Inv. Mgmt. Bd. of Massachusetts v. BP p.l.c.*, No. 14-cv-01084, Amended Complaint (“*Pension Reserves*”) (ECF No. 27) ¶ 288.
- Anthony Hayward’s statements in BP’s 2007 Annual Review dated February 22, 2008 in:
  - *New York City* ¶ 380;
  - *Bank of America* ¶ 380;
  - *GIC Private Ltd.* ¶ 336;
  - *Helaba* ¶ 336;
  - *Louisiana* ¶ 341;
  - *Maryland* ¶ 147;
  - *Arkansas* ¶ 301;
  - *Virginia* ¶ 303;
  - *Washington* ¶ 274; and
  - *Pension Reserves* ¶ 290.
- Anthony Hayward’s statements during the February 27, 2008 strategy presentation call in:
  - *New York City* ¶ 382;
  - *Bank of America* ¶ 382;
  - *GIC Private Ltd.* ¶ 338;
  - *Helaba* ¶ 338;
  - *Louisiana* ¶ 343;
  - *Maryland* ¶ 149;
  - *Arkansas* ¶ 303;
  - *Virginia* ¶ 305;
  - *Washington* ¶ 276; and
  - *Pension Reserves* ¶ 292.
- BP’s statements in the 2007 Annual Report dated March 4, 2008 in:
  - *New York City* ¶ 384;
  - *Bank of America* ¶ 384;
  - *GIC Private Ltd.* ¶ 340;
  - *Helaba* ¶ 340;
  - *Louisiana* ¶ 345;

- *Maryland* ¶ 151; and
  - *Pension Reserves* ¶ 294.
- Anthony Hayward's speech at BP's Annual General Meeting on April 17, 2008 in:
  - *Bank of America* ¶¶ 386-387;
  - *GIC Private Ltd.* ¶¶ 342-343;
  - *Helaba* ¶¶ 342-343;
  - *Louisiana* ¶ 347;
  - *Maryland* ¶ 153;
  - *Arkansas* ¶¶ 305-306;
  - *Virginia* ¶¶ 307-308;
  - *Washington* ¶¶ 278-279; and
  - *Pension Reserves* ¶ 296.
- Anthony Hayward's speech at the HRH Prince of Wales's 3<sup>rd</sup> Annual Accounting for Sustainability Forum on December 17, 2008 in:
  - *Bank of America* ¶ 398;
  - *GIC Private Ltd.* ¶ 345;
  - *Helaba* ¶ 345;
  - *Louisiana* ¶ 350;
  - *Maryland* ¶ 155;
  - *Arkansas* ¶ 308;
  - *Virginia* ¶ 310;
  - *Washington* ¶ 281; and
  - *Pension Reserves* ¶ 298.
- Anthony Hayward's statements in BP's 2008 Annual Review dated February 24, 2009 in:
  - *Bank of America* ¶ 401;
  - *GIC Private Ltd.* ¶ 347;
  - *Helaba* ¶ 347;
  - *Louisiana* ¶ 352;
  - *Maryland* ¶ 157;
  - *Arkansas* ¶ 310;
  - *Virginia* ¶ 312;
  - *Washington* ¶ 283; and
  - *Pension Reserves* ¶ 300.
- BP's statements in the 2008 Annual Report dated March 4, 2009 in:
  - *Bank of America* ¶¶ 403-404;
  - *GIC Private Ltd.* ¶¶ 349-350;

- *Helaba* ¶¶ 349-350;
  - *Louisiana* ¶¶ 354-355;
  - *Maryland* ¶¶ 159-160;
  - *Virginia* ¶¶ 314-315;
  - *Washington* ¶¶ 285-286; and
  - *Pension Reserves* ¶¶ 302-303.
- BP's statements in the Initial Exploration Plan dated March 10, 2009 in:
  - *Bank of America* ¶¶ 406-409;
  - *GIC Private Ltd.* ¶¶ 365-368;
  - *Helaba* ¶¶ 365-368;
  - *Louisiana* ¶¶ 357-360;
  - *Virginia* ¶¶ 317-320;
  - *Washington* ¶¶ 288-291; and
  - *Pension Reserves* ¶¶ 305-308.
- Anthony Hayward's statements in the 2008 Sustainability Review dated April 16, 2009 in:
  - *Bank of America* ¶ 416;
  - *GIC Private Ltd.* ¶ 352;
  - *Helaba* ¶ 352;
  - *Louisiana* ¶ 367;
  - *Maryland* ¶ 162;
  - *Virginia* ¶ 327; and
  - *Pension Reserves* ¶ 315.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this 15<sup>th</sup> day of November 2018.

  
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KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE